

REMARKS

In the office action, the examiner restricted the claims into the following two groups:

GROUP I: Claims 1-4 and 10-18, drawn to a pharmaceutical composition, and

GROUP II: Claims 5-9 drawn to a method of selectively inducing a complement mediated hyperacute immune response to a target tissue.

Applicants provisionally elect the claims of GROUP I, claims 1-4 and 10-18 for examination, with traverse. Applicants believe that the claims of the remaining group is sufficiently related to be examined together with GROUP I, and that such examination would not place an undue burden on the Examiner. M.P.E.P. § 803 states that, if “the search and examination of an entire application can be made without serious burden, [then] the examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.” Therefore, applicants request that the examiner reconsider her position regarding this restriction requirement and examine the claims of Groups I- II as one invention.

Furthermore, Applicants hereby elect: Species “inhibitor.” The examiner, however, is reminded to follow the procedure in M.P.E.P. 803.02 and extend the search to the other species recited in the claims, should the elected species be free of the prior art.

Applicants reserve the right to pursue any non-elected claims in one or more divisional applications.

CONCLUSION

Applicant reserves the right to file divisional applications covering the subject matter of the non-elected claims.

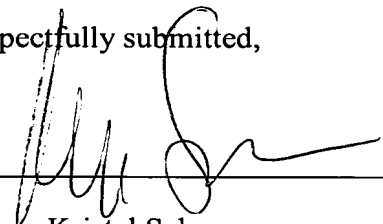
Applicant respectfully requests examination on the merits of this application. Should there be any questions concerning this application, Examiner Fetterolf is invited to contact the undersigned at the number listed below.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Date August 17, 2006

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5574
Facsimile: (202) 672-5399

Respectfully submitted,

By 

Kristel Schorr
Attorney for Applicant
Registration No. 55,600